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UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR 17-404 (B) -AB-1

Plaintiff,

GOVERNMENT'S SENTENCING POSITION  
REGARDING DEFENDANT ARLAN WESLEY  
HARRELL; EXHIBITS A-K

v.

ARLAN WESLEY HARRELL, et al.,

**[UNDER SEAL]**

Defendants.

Plaintiff United States of America, by and through its counsel  
of record, the United States Attorney for the Central District of  
California and Assistant United States Attorney Devon Myers and Karen

1 I. Meyer, and Department of Justice Trial Attorneys Lauren S.  
2 Kupersmith and Kyle P. Reynolds , hereby files its Sentencing  
3 Position related to defendant Arlan Wesley Harrell.

4 This Sentencing Position is based upon the attached memorandum  
5 of points and authorities, the attached exhibits A-K, the files and  
6 records in this case, the Presentence Report, the sentence  
7 recommendation letter, and such further evidence and argument as the  
8 Court may wish to consider at the hearing. The government reserves  
9 the right to file a reply brief. The government requests that the  
10 Court set over the restitution hearing for 90 days.

11  
12 Dated: February 4, 2022

Respectfully submitted,

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14 United States Attorney

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## MEMORANDUM OF POINTS AND AUTHORITIES

## I. INTRODUCTION

15           Defendant abused children that he babysat, he abused children  
16 who attended [REDACTED] daycare, and he abused children while  
17 chaperoning a school trip. He abused [REDACTED] he had known  
18 since their birth and he abused children he had just met. Every  
19 child he encountered was in danger from him, and unfortunately, he  
20 encountered many. He met co-defendants John Brinson ("Brinson") and  
21 Moises Martinez ("Martinez") on the dark web and they bonded over  
22 their shared interest in sexually abusing children in their care.  
23 But their relationship extended beyond the dark web to in-person  
24 meetups where they would share the children in their care to sexually  
25 abuse them together.

26 Defendant destroyed multiple families through his rampant and  
27 brazen abuse of those he was supposed to care for and protect.  
28 Having even one child abused in the way defendant violated his

1 victims is too many – but 20 victims is hard to even conceive.  
2 Beyond the emotional toll of the repeated rape and abuse, defendant  
3 also subjected most of his victims to the lifetime horror of having  
4 these recordings forever circulating within the pervasive  
5 distribution system of child sexual abuse material. Defendant is  
6 evil in a way most people cannot even imagine – he violated the most  
7 innocent victims in the most degrading and cruel ways.

8 Importantly, the conduct described above and below in no way  
9 comes close to capturing the extent of defendant's crimes. For all  
10 of Harrell's victims to whom he had access for more than a day,  
11 Harrell produced anywhere from dozens to hundreds of images and  
12 videos of each of them engaging in sexually explicit conduct, and yet  
13 he is only charged with one count per production victim. The exact  
14 number of his acts of production per victim is difficult to quantify  
15 due to the breadth of his activity, the expanse of his collection,  
16 and the manipulation of files to hide his activity. To illustrate,  
17 of the 22 devices that were examined by the forensic investigator, at  
18 least half of them (totaling 1,682 GB of data) contained evidence of  
19 images and videos that Harrell produced of his victims, including  
20 those produced specifically for Website A or to share privately with  
21 other offenders. His collection of sexually explicit material of his  
22 victims was catalogued across these devices in various folders and  
23 subfolders, sometimes with names indicating the nicknames he gave his  
24 victims, the sexual acts performed, or with whom he shared them. At  
25 the time of his arrest, defendant possessed more than 100,000 images  
26 of child sexual abuse material, thousands of which he created  
27 himself.

1       As explained in more detail below, defendant's guideline  
2 calculation is literally off the chart - by 10 levels - and it too  
3 underrepresents his criminal conduct. Thus, defendant's total  
4 offense level of 53, much less the 10-level reduction he receives  
5 just because the Guidelines do not go higher than level 43, does not  
6 capture most of his crimes.

7       Defendant is horror incarnate [REDACTED].  
8 There is no way to ensure the community could ever be safe from  
9 defendant other than lifetime imprisonment. Beyond protecting the  
10 public from further crimes of the defendant, the seriousness of his  
11 offenses necessitates a life sentence to promote respect for the law,  
12 provide just punishment, and afford adequate deterrence to criminal  
13 conduct of this nature. 18 U.S.C. § 3553(a)(2)(A)-(C). Accordingly,  
14 the government requests that the Court sentence defendant within the  
15 applicable Guideline range of life.<sup>1</sup>

16 **II. DEFENDANT ACTIVELY PARTICIPATED IN A WEBSITE DEVOTED TO HARMING  
17 CHILDREN AND CREATED CHILD SEXUAL ABUSE MATERIALS OF 20 VICTIMS**

18 **A. Defendant Advertised And Distributed Child Pornography On A  
19 Website Devoted To The Sexual Exploitation Of Children Zero  
20 To Five Years Old**

21       Defendant was a member of Website A, which is an internet-based,  
22 members only bulletin board dedicated to the production,  
23 advertisement, transportation, receipt, distribution, and possession  
24 of child sexual abuse material of children five years old or younger.  
25 (Docket Entry ("DE") 319, Presentence Report ("PSR") ¶ 15.) Website

27       

---

<sup>1</sup> Specifically, life imprisonment for counts 1 and 2, 360 months  
28 on counts 3-5, and 7-23, and 120 months on count 24, all such terms  
to be served concurrently.

1 A had over one thousand members and operated on a network that masked  
2 each member's Internet Protocol address. (Id. at ¶ 16.) Defendant  
3 followed Website A's protocols to use screen names to mask identities  
4 and followed particular security rules to remain anonymous. (Id.)  
5 He made posts on Website A under the name [REDACTED] but also used  
6 additional aliases on other dark-web based sites and anonymous  
7 communication programs, including [REDACTED] and [REDACTED]  
8 (Id.; see DE 276 at 10.)

9 Defendant joined Website A on approximately February 12, 2016,  
10 and he made approximately 155 posts on the website. (Id. at ¶ 21.)  
11 The posts defendant made included distribution and advertisement of  
12 sexually explicit images and videos he created of Minor Victim 14,  
13 Minor Victim 5, and Minor Victim 6. (Id. at 22.)

14 On defendant's first day on the website, February 12, 2016, he  
15 made the following post in which he explained that he has a large  
16 amount of child sexual abuse material to contribute because **he has**  
17 **been creating it for a long time** and will regularly upload material:<sup>2</sup>

18  
19 **HI**  
20 D by [REDACTED] Fri Feb 12, 2016 7:38 pm  
21 Hey  
22 I just wanted to say Hi to the first fully functioning baby/tot community that I have ever come across since I have been on the  
23 web. I look forward to chatting with you all around the boards and seeing some nice additions to the pedophile community. I  
24 have to say that I'm actually kinda shocked by the low post count of content since I figured there would be a lot more within our  
25 AOA out there but fear not I have tons of content to contribute since I have been at this a while. I will begin uploading my  
content which ranges from boys and girls from 0-5 while I safely edit my own content as well. While most of it has been shared  
before there is no real hub for baby/toddler content this seems like the perfect place to upload. I will try to get on a schedule  
and upload at least 1-2 pic sets or vids every 3 days or so sometimes more.  
Stay safe stay happy  
Cheers from [REDACTED]

26 <sup>2</sup> These screenshots of posts are copied from the portions of  
27 Website A that the government has in its possession and made  
28 available to the defense. The government will make them available to  
the Court if the Court so requests. All images and videos referenced  
herein, along with any others from the case, are also available for  
the Court's review upon request.

On November 3, 2016, defendant posted images of Minor Victim 14 on Website A. (PSR at ¶ 25.) The post included preview images that depicted a close up of Minor Victim 14's genitals in the center of the image. ([Id.](#)) The post included a link for a user to download full-sized versions of the images. ([Id.](#)) As his post indicates below, Minor Victim 5 was just four years old in the images he posted and shared to other offenders, telling them to "enjoy" her. ([Id.](#)) Defendant's post promised to try to bring others to Website A and warned others to be careful to avoid being caught:

Post Reply     

Thu Nov 03, 2016 11:04 pm

! « »

By [REDACTED] For those of you who may not know me I do not always post here but will forever remain on the site I still wish to attract more fellow producers and contributors to our community to a safe area and for this I needed to create a separate account because not everyone trust big name prods (feel intimidated) so this is the work of my other self. Also as a friendly warning to any who come to leak our VIP and Prod zone remember you never know who is on the other end of your computer screen if you leak or trade our material we will find out When we choose to share it is becasue we are kind so be thankful as lots of work go into producing and making stuff to share After you watch and fap to material and horniness is gone you can delete but we cannot delete from the internet so we live with the fear one day we make mistake and get caught so be thankful and not petty please we are all here to enjoy and fap to Happy Kids Any and all can be the same people so lets jsut have fun and follow the rules 😊 Enjoy my little [REDACTED] 4yo)

Another one of defendant's posts was on January 12, 2017, when defendant made available images of Minor Victim 5's up-close, unclothed genitals being spread by defendant's fingers. (PSR ¶ 26.) Defendant provided a link so a user could obtain the full-sized images. (Id.) Minor Victim 5 was less than two years old at the time of the post. (Id.) Defendant's post indicated that he would provide more material soon (id. ¶¶ 26, 37):

2017

[Post Reply](#)    

2017

by [REDACTED] > Thu Jan 12, 2017 4:26 pm 

Well hope you all like my little lady had some time to visit a special friend <3 and we had a blast hopefully more will be cumming soon 😊

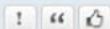
1       Defendant made another post on April 15, 2017, that included  
 2 links to two image previews of video files and links to those files.  
 3 (PSR ¶ 27.) One of the videos depicted Minor Victim 6 being anally  
 4 penetrated by defendant's penis. ([Id.](#)) Minor Victim 6 was less than  
 5 three years old at the time of the post. ([Id.](#)) In defendant's post  
 6 titled, "████████ 3YR ANAL FUN," he wrote how there "is nothing more  
 7 special then [sic] when your boy makes the choice to give himself to  
 8 you":<sup>3</sup>

9                   ████████ 3YR ANAL FUN

10                   Locked Search this topic...

11                   ████████ 3YR ANAL FUN

12                   Dby █████ Sat Apr 15, 2017 5:07 am



13                   Had a little fun with my boy this past week and after a little thought and discussion we decided to proceed with our next step in  
 14 exploration. There is nothing more special then when your boy makes the choice to give himself to you. For those lucky enough to  
 15 share a moment like this with your special friend or friends remember to cherish it always.....And dont forget to share XD  
 16 Hope you all like enjoy and be safe

17 P.S 2 Picks one before one after all in the same file

18                   ([Id.](#) ¶ 45.)

19                   In addition to his posts, defendant's profile page on Website A  
 20 provided that his "AoA," a.k.a. "Age of Attraction" was "0-5yo and  
 21 older" and that his 1st Fetish is "Cum in mouth" and his 2nd Fetish  
 22 is "Undies."<sup>4</sup> Defendant's profile picture (which was displayed with  
 23 every post on the website) was a cropped photograph of a toddler's

---

24                   <sup>3</sup> The government anticipates that defendant may argue that the  
 25 harm to his victims is somehow mitigated because many of his victims  
 26 were too young to remember the abuse he inflicted. But defendant's  
 27 delusion that the harm he caused was in anyway minimized by their  
 28 young ages matches the delusion that a three-year old child can  
 29 consent to anal rape as stated in his post. Additionally, posting  
 30 this abuse online and making it available for countless other  
 31 offenders to view and download for their own perversions in  
 32 perpetuity belies any claim that the impact of his crimes was  
 33 confined to a time when he inflicted the physical pain of the abuse.

34                   <sup>4</sup> This was posted and made available for anyone on Website A to  
 35 see. It was captured and made available to the defense in the same  
 36 way as the post excerpts. It is also available for the Court to  
 37 review upon request. .

1 genitals (Minor Victim 10) with a handwritten sign propped under the  
2 toddler's penis on top of his diaper that said "████████ 4 [heart]  
3 [Website A]." (PSR ¶ 65.)

4 **B. Defendant Traveled Halfway Across The State To Sexually  
5 Abuse His Three-Year Old Charge With Co-Defendant Brinson  
6 And To Abuse Two Additional Victims Provided By Brinson**

7 On September 24, 2016, defendant took custody of Minor Victim 11  
8 from the child's grandmother and with the child's mother's  
9 permission. (PSR ¶ 28; see ROI 16 dated Dec. 20, 2017, a true and  
10 correct copy of which is attached hereto as **Ex. A** at 003.)<sup>5</sup>  
11 Defendant then drove to Fresno, California with Minor Victim 11 - who  
12 was three years old at the time - to abuse him with co-defendant  
13 Brinson. (PSR ¶ 28.)

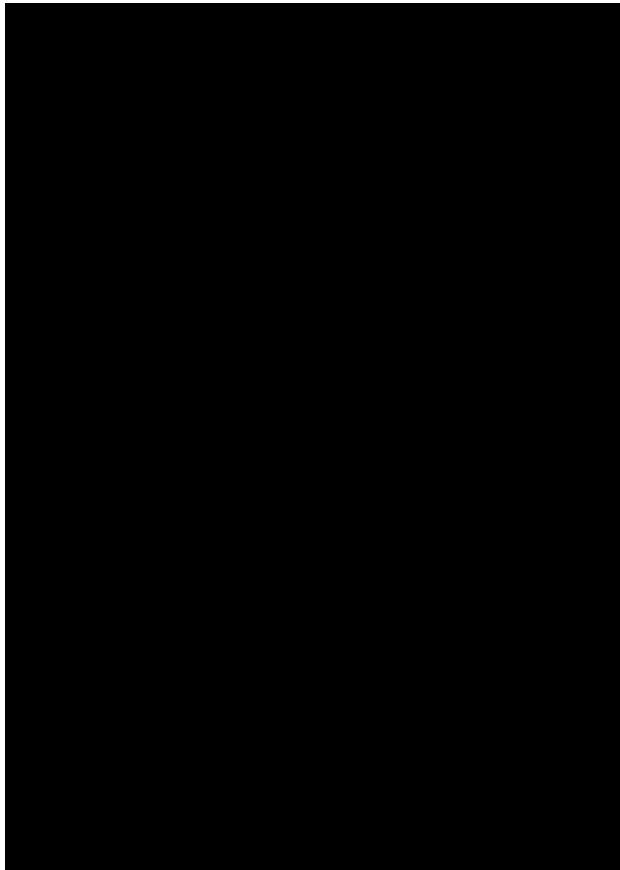
14 Co-Defendant Brinson brought Minor Victims 3 and 12 to his  
15 residence so that all three children were together. (Id. ¶ 29.)  
16 Minor Victims 3 and 12 were the sons of ██████████ of co-  
17 defendant Brinson and they called him ██████████.<sup>6</sup> (Id.) Defendant and  
18 co-defendant Brinson then sexually abused all three children and  
19 produced child sexual abuse material documenting and preserving their  
20 joint abuse of these three victims. (Id.) Defendant and co-  
21 defendant Brinson also documented this trip in a photograph of all  
22 the children together with them:<sup>7</sup>

23  
24 \_\_\_\_\_  
25 <sup>5</sup> Page citations are to the "Govt Sentencing" pagination at the  
bottom of the page.

26 <sup>6</sup> Co-defendant Brinson made Minor Victim 3 available for abuse  
by the three other defendants in this case.

27 <sup>7</sup> This is "i████████.jpg" from one of defendant's digital  
28 devices. It shows Brinson on the left, with (from left to  
right) Minor Victim 12, Minor Victim 3, and Minor Victim 11 crowded  
around defendant, who is sitting down.

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14           1.    Defendant's Abuse Of Minor Victim 11

15       Defendant told Minor Victim 11's grandmother that he wanted to  
16 take the child to a birthday party at the time he made this trip to  
17 Fresno. (Ex. A at 003-04).) Defendant claimed that he would spend  
18 the night at the girl's house who was having the party. (*Id.*) The  
19 grandmother recalled that when defendant brought Minor Victim 11  
20 home, there was a lot of candy as well as balloons in his backpack.  
21 (*Id.* at 5.)<sup>8</sup>

22       Defendant and Brinson both abused Minor Victim 11 on the trip to  
23 Fresno. For example, in connection with Minor Victim 11, defendant  
24 and Brinson created a video that depicts defendant fondling Minor  
25 Victim 11's penis while Brinson inserts his finger into the child's  
26 anus. (PSR ¶ 31.) In another video that the defendants created, it

27  
28           

---

<sup>8</sup> Chats among these defendants reveal that they used candy or  
toys to bribe the children not to disclose their abuse.

shows defendant orally copulating Minor Victim 11's penis while co-defendant Brinson is digitally penetrating his anus. (Id.)

Several of the images of this victim were recovered from defendant's digital devices with handwritten signs featuring defendant's alias from Website A and/or the name of Website A and/or the names of other users of that website. (Id. ¶ 32.) This indicates that defendant produced many of the images specifically for distribution on Website A and to share with others. (Id.)

Beyond the joint production with co-defendant Brinson, defendant recorded various other sexual acts he inflicted on Minor Victim 11 at other times by himself. Minor Victim 11 also told his mother once that [REDACTED] Arlan's penis tastes nasty." (*Id.* at 002.) This indicates that, beyond the acts defendant inflicted on Minor Victim 11's body, defendant also made the toddler orally copulate defendant's penis.

2. Defendant Abused Victims Provided By Brinson, Minor  
Victims 3 and 12

In addition to abusing Minor Victim 11, defendant abused Minor Victim 12 and Minor Victim 3 during the September 2016 trip and at

1 least one other occasion when he traveled back to Fresno (this time  
2 without a child victim of his own).<sup>9</sup> (See e.g., PSR ¶ 29-30.)

3 For example, defendant created a video of his hands holding his  
4 own penis while he anally penetrated Minor Victim 3. (Id. ¶ 33.) In  
5 another video, titled [REDACTED].mp4," Brinson and Harrell  
6 created a recording of defendant orally copulating Minor Victim 3's  
7 penis. (Id.) Another video depicts defendant using his hand to  
8 molest Minor 12's penis. (Id. ¶ 34.) Brinson distributed images of  
9 Minor Victim 3 and Minor Victim 12 on Website A, including images  
10 that he produced with defendant. (Id. ¶¶ 33-34.)<sup>10</sup>

11 In addressing the harms that defendant caused to their children,  
12 Minor Victims 3 and 12's parents write about what defendant took from  
13 those little boys. [REDACTED] their father, writes that "[t]here's not a  
14 sentences [sic] that this court can give that will give back to these  
15 children what you took from them." (See Ex. B, a true and correct  
16 copy of [REDACTED] victim impact statement ("VIS") at 008.) He continues:

17 My children, nor no other person's child, should NEVER have  
18 been put in the position that they were in. **You people**  
19 **deceived us parents that was trusting and believing in you,**  
20 **that you were good people trying to be there for children.**

21 **You are just as sick, a monster, like the others.** I pray  
22 that one day you as well as your co-defendants will

23  
24  
25 <sup>9</sup> Minor Victim 11's mother recalled that defendant asked  
26 permission to take her kids to a birthday party in Northern  
27 California but she declined because it was her first Easter off of  
work. (Ex. A at 002.) This could indicate that defendant wanted to  
bring victims back to Northern California with him for this trip to  
Fresno, but did not have access to the children.

28 <sup>10</sup> The PSR indicates that it was defendant who distributed images  
of Minor Victim 3 on Website A but it was co-defendant Brinson.

1 understand that you shouldn't be able to breathe the same  
2 air that these children breathe. You don't deserve it.

3 (Id. (emphasis added).) Their mother writes [REDACTED]

4 [REDACTED]  
5 [REDACTED] [REDACTED]  
6 [REDACTED]  
7 [REDACTED]  
8 [REDACTED]  
9 [REDACTED]  
10 [REDACTED]  
11 [REDACTED] "I don't even know all the  
12 ways that what Harrell and these other evil men did to [Minor Victim  
13 3 and 12] will show up in their lives." (Id. at 009.)

14 The child sexual abuse material created by defendant of these  
15 victims described above, along with all of the material described  
16 below for his other victims, are only a sampling of the recordings of  
17 abusive acts inflicted by defendant that were recovered.

18 **C. Defendant Sexually Abused Most Of The Young Children To  
19 Whom He Had Access And Documented It**

20 1. Defendant Created Videos Of Him Anally Penetrating  
21 Minor Victim 5 With His Penis And Other Forms Of Abuse  
22 When She Was No More Than Two Years Old

23 Beyond the child sex abuse material of Minor Victim 5 that  
24 defendant made available on Website A, he made additional videos  
25 documenting his abuse of Minor Victim 5, who was two years old or  
26 younger at the time. (PSR ¶¶ 37-43.) For example, a file titled,

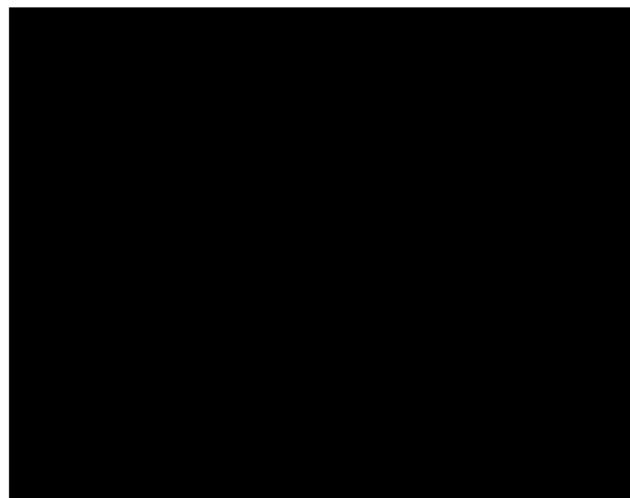
1 "████████.mp4,"<sup>11</sup> depicts defendant anally penetrating Minor  
2 Victim 5 with his penis and then ejaculating on Minor Victim 5's  
3 vagina. (Id. ¶ 39.)

4 Another video shows Minor Victim 5 lying on her back holding a  
5 plush toy. (Id. ¶ 40.) Defendant then opens the baby's onesie,  
6 slides her diaper to the side, and manipulates her genitals with his  
7 fingers. (Id.)

8 In yet another video, the baby is naked and lying on her side  
9 while defendant orally copulates her. (Id. ¶ 41.) Defendant's face  
10 is visible in the video. (Id.)

11 The child's grandmother recalled that defendant was often at  
12 Minor Victim 5's mother's house to babysit. (Id. ¶ 44.) Indeed,  
13 according to her, defendant spent the night there often and would  
14 always take the child into another room when changing her diaper.  
15 (Id.)

16 Here is a photograph that defendant took of himself and this  
17 victim:<sup>12</sup>



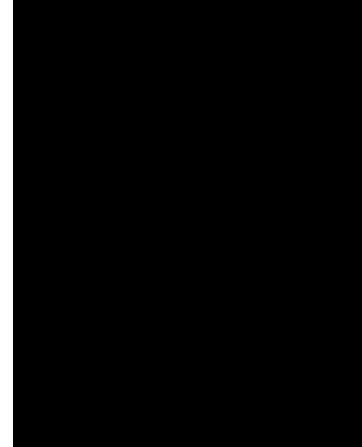
27 <sup>11</sup> ██████████

28 <sup>12</sup> This is image\_"████████.jpeg" recovered from one of defendant's  
digital devices.

1       2.    Defendant Masturbated And Anally Penetrated Minor  
2       Victim 6 with Defendant's Penis When The Child Was Two  
3       Years Old Or Younger

4           The video that defendant made available on Website A in  
5 connection with his post titled [REDACTED] 3YR ANAL FUN," described  
6 above, depicted Minor Victim 6. (Id. ¶¶ 45-46.) Law enforcement was  
7 able to download the video from the links that defendant made  
8 available on Website A and also recovered the video from defendant's  
9 digital devices. (Id. ¶ 46.)

10          Another video, which defendant named [REDACTED].mp4,"  
11 depicted Minor Victim 6 lying on a carpet while defendant masturbates  
12 the victim's penis. (Id. ¶ 47.) Defendant often babysat this  
13 victim.<sup>13</sup>



21       3.    Defendant Babysat Minor Victim 7 And Documented His  
22       Sexual Abuse Of The Young Boy

23          Defendant babysat Minor Victim 7. (PSR ¶ 50.) Several of the  
24 images of this victim that law enforcement recovered from defendant's  
25 digital devices featured handwritten signs with defendant's Website A

27       

---

<sup>13</sup> File titled ".JPG" from one of defendant's digital devices  
28 and depicting Minor Victim 6. The background of the photograph is  
defendant's residence.

1 username and the name of Website A. (Id. ¶ 51.) That indicates that  
2 defendant created the images with the intent to distribute them.  
3 (Id.) Defendant created "████████.jpg," which is a  
4 collection of 21 smaller images depicting portions of Minor Victim  
5 7's body, including one with defendant's fingers squeezing the  
6 child's penis. (Id.)

7 As another example, defendant also created a video of this  
8 victim titled "████████.mp4," which depicts the child's whole body,  
9 including his face. (Id. ¶ 53.) Defendant pulls Minor Victim 7's  
10 underwear down and molests the child's penis before turning him  
11 around to expose his buttocks. (Id.) Minor Victim 7 was no more  
12 than six years old during the relevant time period. (Id. ¶ 54.)

13 4. Defendant Orally Copulated Minor Victim 8, Who Was Two  
14 Years Old

15 Defendant babysat Minor Victim 8. (Id. ¶ 55.) Indeed, this  
16 baby's parents recalled leaving their children with defendant in  
17 August 2016, so they could go to the movies. (See Report of  
18 Investigation ("ROI") 005 dated August 1, 2017, at 014, a true and  
19 correct copy of which is attached hereto as **Ex. D.**) They remembered  
20 when they returned home that their baby girl would not stop crying  
21 and defendant ran out of the house. (Id.) At all relevant times,  
22 Minor Victim 8 was two years old. (PSR ¶ 57.)

23 Defendant created a video of Minor Victim 8 titled "████████  
24 █████.mp4." (Id. ¶ 56.) In that video, defendant penetrates Minor  
25 Victim 8's vagina with his tongue. (Id.) As with the other victims,  
26 this video is just one example of defendant's production and abusive  
27 conduct with this victim.

5. Defendant Created Child Sex Abuse Material Of Minor  
Victim 9, Who Was Four Years Old Or Younger

3 Minor Victim 9 is Minor Victim 8's [REDACTED]. (See Ex. D at 014.)  
4 Defendant also babysat this victim. (Id.; PSR ¶ 58.) Indeed, Minor  
5 Victim 9's parents recalled a time when defendant took their son for  
6 a few hours to ostensibly go see a movie. (Ex. D at 014-15.) But  
7 when they texted defendant, he did not respond and they were not able  
8 to get a hold of him for several hours. (Id.) When defendant  
9 returned with Minor Victim 9, he told the child's parents that they  
10 did not go to a movie and went to Toys R Us instead. (Id.)

11 In one video involving this victim, titled "████████.mp4,"<sup>14</sup>  
12 Minor Victim 9 says "hi" to the camera before defendant pushes down  
13 the child's underwear and begins orally copulating the child's penis.  
14 (PSR ¶ 59.) Another video titled "████████.mp4," shows Minor  
15 Victim 9 lying on his stomach with his buttocks exposed. (Id. ¶ 60.)  
16 Defendant penetrates the child's anus with a finger covered in a blue  
17 medical glove. (Id.) At all relevant times, Minor Victim 9 was four  
18 years of age or younger. (Id. ¶ 61.)

19 || 6. Defendant Abused Minor Victims 16 And 17, Who Are

21 Minor Victims 16 and 17 [REDACTED] . (See  
22 Ex. A at 2.) Indeed, these victims' mother described defendant "as  
23 the fun [REDACTED] and said that he was her back up babysitter. (*Id.*;  
24 *see also* PSR ¶¶ 82, 85.) Defendant told her that he wanted each of  
25 her children to "have their own special day" so he would take the

14

1 kids off individually to spend time with them. (Ex. A at 002.)  
2 Defendant would also randomly show up at her house. (Id. at 002-03.)

3 As an example of his abuse of Minor Victim 16, defendant  
4 produced a video that he named "████████.mp4," which depicts  
5 defendant orally copulating Minor Victim 16's penis. (PSR ¶ 81.)  
6 Minor Victim 16 was nine years old or younger at all relevant times.  
7 (Id. ¶ 83.)

8 As an example of his abuse of Minor Victim 17, defendant created  
9 a video entitled, "████████.mp4," in which defendant orally  
10 copulates Minor Victim 17's penis. (Id. ¶ 84.) Similarly, "████  
11 █████.mp4," depicts defendant placing his mouth entirely on  
12 Minor Victim 17's penis. (Id.)

13 7. Defendant Molested Minor Victim 18 Who Was No Older  
14 Than Three

15 Minor Victim 18 was three years old or younger at all relevant  
16 times. (Id. ¶ 88.) One example of defendant's abuse of this victim  
17 includes the video defendant created entitled "████████.mp4"  
18 that depicts the toddler lying on a tile floor with his pants and  
19 diaper pulled down while defendant uses his fingers to molest Minor  
20 Victim 18's penis. (Id. ¶ 87.)

21 8. Defendant Created Child Sexual Abuse Material of Minor  
22 Victim 20 In A Public Restroom

23 Defendant created child sexual abuse material of Minor Victim 20  
24 in a public restroom. (Id. ¶¶ 93-94.) Minor Victim 20 was no older  
25 than seven years old at all relevant times. (Id. ¶ 95.)

26 Defendant created "████████.mp4" that shows Minor Victim 20  
27 changing in a public restroom. (Id. ¶ 93.) Defendant zooms in on  
28 the child's genitals after the child removes his pants and underwear.

1 (Id.) Similarly, "█.jpg" and "█.jpg" are still images that  
2 defendant created from the video or took around the same time that  
3 depict only Minor Victim 20's naked genitals with his pants pulled  
4 down around his thighs. (Id. ¶ 94.)

5 **D. Defendant Exploited At Least Five Of The Six Children That  
6 Attended █**

7 Defendant's █ ran a daycare █, and he  
8 would help with the children. (Id. ¶ 62.) The █  
9 roster shows that of the six children enrolled there, five  
10 have been conclusively identified as victims here: Minor Victim 10,  
11 Minor Victim 13, Minor Victim 14, Minor Victim 15, and Minor Victim  
12 19. (See **Ex. E**, a true and correct copy of █  
13 Roster at 016.)<sup>15</sup>

14 1. Defendant Anally Penetrated Minor Victim 10 With His  
15 Finger

16 Minor Victim 10 attended the █ Daycare. (PSR  
17 ¶ 62.) At all relevant times, Minor Victim 10 was under two years of  
18 age. (Id. ¶ 66.)

19 Law enforcement recovered several images and videos of this  
20 toddler that contained handwritten signs with defendant's username  
21 and the name of Website A. (Id. ¶ 63.) That indicates that  
22 defendant created these files for the purpose of distributing them on  
23 Website A. (Id.) Indeed, defendant's Website A profile picture was  
24

---

25 <sup>15</sup> The one child who agents did not identify sexual  
26 ms and

27 █ The █ use her or evidence  
28 of the abuse may not have been recovered. This child was depicted in  
images in Harrell's vast collection, but the images did not amount to  
depictions of sexually explicit conduct.

1 Minor Victim 10's genitals with a handwritten sign propped under his  
2 penis and on top of his diaper that read, [REDACTED] 4 [heart] [Website  
3 A].” (Id. ¶ 65.)

4 As another example, defendant created the video [REDACTED]  
5 [REDACTED].mp4,” which depicts defendant anally penetrating  
6 Minor Victim 10 with a finger encased in a blue medical glove. (Id.  
7 ¶ 64.) Defendant then placed a handwritten sign on the infant's  
8 naked buttocks that reads, “[REDACTED] L VL 8 [smiley face]  
9 [initials] XXX.” (Id.)

10 2. Defendant Abused Minor Victim 13 And Had Her Hold  
11 Placards To “Advertise” His Work

12 Minor Victim 13 attended the [REDACTED] daycare and  
13 defendant abused her while she was there. (Id. ¶ 67.) An example of  
14 defendant's exploitation of this victim is “[REDACTED],” which depicts  
15 Minor Victim 13 from below the waist. (Id. ¶ 68.) She is undressed  
16 and appears to be holding her clothes in her hand and her underwear  
17 is pulled down to her knees. (Id.) The focus of the image is on her  
18 genitalia. (Id.)

19 Several of the images depicting this victim included handwritten  
20 signs with one of defendant's aliases, “[REDACTED],” and other  
21 indications that he produced these images specifically for  
22 distribution. (Id. ¶ 69.) For example, “[REDACTED].jpg” is a  
23 collection of 21 photographs depicting portions of Minor Victim 13's  
24 body with a handwritten sign that provides [REDACTED]  
25 [REDACTED] - either being held by Minor Victim 13 or  
26 placed on her body. (Id. ¶ 70.) The focus of several of the  
27 photographs is Minor Victim 13's naked genitals. (Id.) At all  
28

1 relevant times, Minor Victim 13 was six years old or younger. (Id.  
2 ¶ 71.)

3. Defendant Ejaculated On Minor Victim 14 And  
Distributed Images Of Her Online

5 Minor Victim 14 attended [REDACTED] daycare. (Id.  
6 ¶ 72.) Defendant distributed child sexual abuse material that he  
7 created of this victim on Website A. (Id. ¶ 73.)

8 One of the videos defendant created of this victim, [REDACTED]  
9 [REDACTED].mp4," depicts defendant rubbing his penis on the outside of  
10 Minor Victim 14's bare buttocks and then slightly anally penetrating  
11 her while he ejaculates on her buttocks. (Id. ¶ 74.) Minor Victim  
12 14 was no more than six years old at all relevant times. (Id. ¶ 75.)  
13 Minor Victim 14 is the sister of Minor Victim 10.

14 4. Defendant Created Child Sexual Abuse Material Of Minor  
Victim 15 For Distribution

16 Minor Victim 15 was another attendee at [REDACTED]  
17 daycare. (Id. ¶ 76.) Defendant called this victim " [REDACTED]" in the  
18 child sexual abuse material that he created of her. (Id. ¶ 77.)  
19 Minor Victim 15 was six years old or younger at all relevant times.  
20 (Id. ¶ 80.)

21 Many of the files defendant produced of her included handwritten  
22 signs and other indications that defendant created them so that he  
23 could distribute them. (Id. ¶ 77.) For example, one image that  
24 depicts a lascivious exhibition of Minor Victim 15's genitals also  
25 includes a handwritten sign that reads " [REDACTED]  
26 [REDACTED]" (Id. ¶ 78.) Another image,  
27 " [REDACTED].jpg," depicts Minor Victim 15's stomach and genitals. (Id.  
28 ¶ 79.) Her shirt is pulled up and defendant's fingers are pulling

1 down her shorts and underwear so that her genitals are visible - they  
2 are the focus of the image. (Id.)

3       5. Defendant Sexually Abused Minor Victim 19 With An Eye

4                   To Distribute The Documentation Of Her Abuse

5       Minor Victim 19 attended [REDACTED] daycare. (Id.)

6       § 89.) At all relevant times, Minor Victim 19 was four years old or  
7       younger. (Id. § 92.)

8       Several of the files depicting this victim included handwritten  
9       signs featuring Website A's name - indicating that defendant created  
10      the images specifically to share online. (Id. § 90.) For example,  
11      “I [REDACTED]” is an image that depicts Minor Victim 19's naked chest and  
12      genitals while she is lying on her back. (Id.) On her chest is a  
13      handwritten sign that reads, “[REDACTED] [heart] [Website A]  
14      Moderator Producer.” (Id.)

15       Another example of defendant's production with this victim  
16      includes a video he created of Minor Victim 19, “[REDACTED].mp4,”  
17      that depicts Minor Victim 19 lying on her back, holding the bottom of  
18      her dress up so that her genitals are exposed while defendant molests  
19      her vagina, including her labia with his fingers. (Id. § 91.)  
20      Defendant then rolls her over and spreads her buttocks to expose her  
21      anus. (Id.)

22       **E. Defendant Created Child Sexual Abuse Material While  
23                   Chaperoning A Kindergarten Class Trip**

24       Shortly before his arrest, in May 2017 defendant chaperoned a  
25      school trip for [REDACTED], Minor Victim 14. (Id. §§ 96, 106.) She  
26      was a student at [REDACTED]. (See **Ex. F**, a class roster  
27      dated April 3, 2017 for [REDACTED]  
28      [REDACTED] at 017.) During the trip, defendant was

1 responsible for the children. (PSR ¶ 96.) While the children were  
2 changing, defendant created child sexual abuse material of Minor  
3 Victims 21, 22, and 23. (Id.) Defendant took a picture of these  
4 four victims together and saved it in a file named "████████":<sup>16</sup>

5  
6  
7  
8  
9  
10  
11  
12  
13  
████████

14 (Id. ¶ 100.)

15 1. Defendant Abused Minor Victim 21 ██████████

16 ██████████  
17 Defendant created a video that he titled "████████"

18 █████.mp4." (Id. ¶ 97.) That video depicts defendant fondling Minor  
19 Victim 21's penis while they were in a public restroom. (Id.) Minor  
20 Victim 21 is standing without a shirt and his pants and underwear are  
21 pulled down. (Id.) Minor Victim 21 was six years old. (Id. ¶ 101.)

22 In the wake of this abuse, Minor Victim 21's life and his  
23 family's life has changed dramatically. (See VIS of █████  
24 true and correct copies of which are attached hereto as **Ex. G** and **H**  
25 respectively.) █████ Minor Victim 21's father, wrote that, "it is

27  
28 <sup>16</sup> This is "████.JPG" which depicts (from left to right) a female  
child, Minor Victim 21, Minor Victim 14, Minor Victim 23 (background)  
and Minor Victim 22 (foreground).

1 hard to identify the entirety of the damage that Arlan Harrell has  
2 caused [Minor Victim 21] and our family. The evil that is Arlan  
3 Harrell has seeped into every aspect of our lives." (Ex. G at 018.)  
4 [REDACTED]  
5 [REDACTED]  
6 [REDACTED]  
7 [REDACTED]  
8 [REDACTED]  
9 [REDACTED]

10 [REDACTED] Minor Victim 21's mother, wrote that since her son's  
11 birth, "he has been the light of my world." (Ex. H at 020.) She too  
12 wrote of the changes in her son in the wake of defendant's abuse.  
13 (Id.) She explained that, as a parent,

14 You do your best to monitor your child in every aspect to  
15 keep him safe. [REDACTED] and I took great care to make sure  
16 that my son was always looked after by a family member.  
17 The one exception to his constant family supervision was at  
18 school. As most parents do, we believed that school would  
19 be a safe space for my son . . ."

20 (Id. at 021.) [REDACTED]  
21 [REDACTED]  
22 [REDACTED]  
23 [REDACTED]  
24 [REDACTED]  
25 [REDACTED]  
26 [REDACTED]  
27  
28

1       2.    Defendant Brazenly Created Child Sexual Abuse Material  
2       Of Minor Victim 22 and 23 While The Children Were  
3       Changing

4       Defendant created an image of Minor Victim 22 entitled █.jpg" that depicts a closeup of Minor Victim 22's naked genitals as the focus of the image while defendant holds down the child's bathing suit. (PSR ¶ 98.) Minor Victim 22 was six years old at the time. (Id. ¶ 101.) A chart providing a photograph of defendant's victims for ease of reference is attached hereto as **Exhibit I** at 023-28.

5       Defendant created an image of Minor Victim 23 entitled █.jpg" that depicts the child from the waist down wearing nothing but his socks and standing on his pants. (Id. ¶ 99.) The focus of the image is Minor Victim 23's exposed penis. (Id.) Minor Victim 23 was also six years old at the time. (Id. ¶ 101.)

6       While defendant was supposed to be caring for these children, he took full advantage of his short access to them to abuse and exploit them for his own benefit. Whether as a sign of arrogance, a need to brag to other offenders about this access, or some other perverted incentive, he even took the short time with these victims to not only abuse them, but advertise his screen name and Website A. Defendant took the picture below depicting Minor Victim 22 holding his sign.<sup>17</sup>



**F. Defendant Possessed More Than 100,000 Images Of Child Sexual Abuse Material**

At the time of defendant's arrest on May 28, 2017, he possessed more than 100,000 images of child pornography. (*Id.* ¶ 103.) The majority of the files defendant possessed depicted sexual acts involving the penetration of minors under the age of 12 and/or infants and toddlers, distinct from the minor victims of whom he created child sexual abuse material. (*Id.* ¶ 102.) As just an example, out of the 22 devices that were examined and detailed in the forensic report, on just one of the smaller devices (an 8 GB thumb drive), there was one folder called "New folder 2," which contained 7,170 images and 156 videos, almost all of which (if not all) were minors engaging in sexually explicit conduct. (See *id.*)

Of the thousands of images and videos within just that folder on just that device, below are just a few examples of files found:

- A filename containing the words [REDACTED] [REDACTED] is a 4 minute 24 [REDACTED] and video which depicts an adult male's fingers and penis [REDACTED] rating an infant girl's vagina.

- A filename containing the words [REDACTED] is a 4 minute 51 second video which depicts an adult male's penis anally penetrating a toddler.

- A filename containing the words [REDACTED]  
[REDACTED] is a 6 minute 37 second video which depicts an adult male performing a variety of sexual assaults on a female toddler, including penetration of her vagina and anus with his penis and tongue.

1 (See id. ¶ 104.)<sup>18</sup>

2 Defendant's collection of hundreds of thousands of images and  
3 videos of child sexual abuse material scattered and catalogued  
4 throughout multiple digital devices was gathered from other offenders  
5 and various internet sources. His collection and consumption of  
6 these files represent ongoing abuse to the individuals depicted.  
7 Some of the identified victims have shared how the circulation of  
8 these images and videos depicting their sexual abuse eternally  
9 continues to affect their lives. (True and correct copies of those  
10 victim impact statements are attached as **Ex. K.**)<sup>19</sup>

11 **III.**

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

26

27 <sup>18</sup> A copy of the forensic report detailing these findings, along  
with others, is available for the Court's review upon request.

28 <sup>19</sup> The government may make a supplemental filing of a few  
additional VIS prior to the sentencing hearing.

1 [REDACTED]  
2 [REDACTED]  
3 [REDACTED]  
4 [REDACTED]  
5 [REDACTED]  
6 [REDACTED]  
7 [REDACTED]  
8 [REDACTED]  
9 [REDACTED]  
10 [REDACTED]  
11 [REDACTED]  
12 [REDACTED]  
13 [REDACTED]  
14 [REDACTED]  
15 [REDACTED]  
16 [REDACTED]  
17 [REDACTED]  
18 [REDACTED]  
19 [REDACTED]  
20 [REDACTED]  
21 [REDACTED]  
22 [REDACTED]  
23 [REDACTED]  
24 [REDACTED]  
25 [REDACTED]  
26 [REDACTED]  
27 [REDACTED]  
28 [REDACTED]

---

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

26 **IV. THE DEFENDANT'S TOTAL OFFENSE LEVEL IS 53, WHICH IS UNDERSTATED**

27 There is no agreement between the parties regarding the  
28 Guideline Calculations because defendant pleaded guilty without a

1 plea agreement. The government agrees with the final calculation of  
2 the United States Probation & Pretrial Services Office ("USPPSO").

3 The government's Guideline calculations are attached hereto as  
4 **Exhibit J** at 029-36. The government's Guideline calculations, which  
5 are nearly identical to the USPPSO<sup>22</sup>, determine defendant's total  
6 offense level, prior to acceptance of responsibility, to be 56, 13  
7 levels above the top offense level contemplated on the sentencing  
8 table.

9 Despite the high number, the total offense level actually  
10 underrepresents the defendant's criminal conduct in several ways.  
11 First, the Guidelines undercount defendant's conduct because he was  
12 only charged with one count of production per victim when he created,  
13 in many cases, numerous images per child. Each of those images could  
14 have been a separate charge in the Second Superseding Indictment. As  
15 such, the Guidelines, based on the conduct charged, does not begin to  
16 capture all of defendant's criminal conduct. Second, for the counts  
17 that are charged, the Guidelines limit the total grouping that  
18 applies. Specifically, pursuant to U.S.S.G. § 3D1.4, once the  
19 assigned "units" exceed five - there are no further increases in the  
20 offense level. Defendant's convictions amount to 16 units to be  
21 grouped (PSR ¶ 323), but only five levels are actually added to his

---

22 The government and USPPSO calculated the grouping rules under USSG Chapter 3D slightly differently, but ended with the same result. The government notes one error of USPPSO's guidelines calculation for Count 24. (PSR ¶¶ 312-322). Count 24 charges the defendant with a violation of 18 U.S.C. § 2252(a)(4)(B) and not 18 U.S.C. § 2252A(a)(4)(B). As such, the Base Offense Level for this Count should be 18 (not 22 as indicated in PSR ¶ 312) and the Offense Level (Subtotal) should be 41 (not 45 as indicated in PSR ¶ 322). Under the Multiple Count Adjustment, the group for Count 24 (Group 21) should receive  $\frac{1}{2}$  unit (not 1 unit as indicated in PSR ¶ 323), but the Total Number of Units is still 16 (as indicated in PSR ¶ 323).

1 offense level calculations. This means that even if Harrell were  
2 only convicted of Counts 3, 4, 5, 7, and 8 (all offense level 46),  
3 his guidelines would still be 56. In other words, defendant's  
4 convictions for Counts 1, 2, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18,  
5 19, 20, 21, 22, and 23 are not accounted for in his total offense  
6 level. This also demonstrates that even if many of the enhancements  
7 did not apply, his total offense level would remain the same.

8 Additionally, the five levels that are added under U.S.S.G.  
9 § 4B1.5(b) (1) (PSR ¶¶ 327-330) only require two separate occasions of  
10 prohibited sexual conduct with a minor to apply. Here, this  
11 enhancement understates the massive number of victims, extensive  
12 instances of abuse and exploitation, and the pervasive pattern of  
13 activity of sexual exploitation that the defendant engaged in over  
14 the course of years.

15 After acceptance of responsibility, defendant's Guideline level  
16 is 53. (See PSR ¶¶ 331-32; Ex. J at 036.) Due to the application of  
17 Chapter 5, Part A (comment n.2), defendant's final offense level  
18 becomes 43. (PSR ¶ 333; Ex. J at 036.) Though the guidelines are  
19 truncated at 43 under the belief that conduct so egregious as to  
20 obtain a level above 43 would be a "rare instance," it is nonetheless  
21 significant that his total offense level of 43, or even 53, does not  
22 account for a large part of his conduct.

23 Defendant's criminal history category is I. (PSR ¶ 339.)  
24 Pursuant to the Guidelines, with an offense level of 43 and a  
25 criminal history category of I, the applicable sentencing range is  
26 life imprisonment.

27  
28

1 **V. THE COURT SHOULD SENTENCE DEFENDANT TO LIFE IMPRISONMENT**

2 Defendant's total offense level, which is far below the offense  
3 level that would actually reflect the severity of his conduct,  
4 advises the Court to impose a sentence of life. There is no reason  
5 to vary or depart from the Guidelines here. As detailed above and  
6 recapped below, the nature and breadth of defendant's crimes are  
7 almost beyond comprehension. Defendant is a destroyer of children's  
8 lives. A destroyer of families. Defendant is evil in human form and  
9 he should never be released from prison.

10 **A. The Crimes Here Are Evil**

11 Defendant abused twenty children and exploited countless others.  
12 Defendant was a threat to any child he encountered, exploiting and  
13 raping most of those that crossed his path. He then had the gall to  
14 claim that the victims were "giving" themselves to him - even though  
15 some of his victims were not old enough to speak. (See PSR ¶ 45,  
16 describing defendant's post on Website A under "████████ 3YR ANAL FUN":  
17 "There is nothing more special then when your boy makes the choice to  
18 give himself to you.") Defendant drove several hours with one of his  
19 victims to "share" him with co-defendant Brinson and abuse two other  
20 children Brinson "shared" with Harrell. And after all of that,  
21 defendant shared the material he created with like-minded pedophiles  
22 online, ensuring that the abuse of his victims will live on in  
23 perpetuity and prolonging their exploitation indefinitely.

24 1. Defendant Abused Twenty Victims, Which Was Just About  
25 Every Child To Whom He Could Gain Access

26 Defendant created sexual abuse material of twenty victims -  
27 ranging in age from:

28 • Babies (Minor Victims 5, 8, and 10), to

1       • Toddlers (Minor Victims 6, 9, 11, 12, 18, and 19), to  
2       • Kindergarten age (Minor Victims 3, 7, 13, 14, 15, 17, 20,  
3           21, 22, and 23), to  
4       • Nine years old (Minor Victim 16).

5           Indeed, defendant abused all but one of the children that  
6       attended the [REDACTED] daycare. (See Ex. E at 016.) Defendant  
7       abused the children that he babysat, often creating time to abuse the  
8       children by claiming that he wanted to give them time alone with him  
9       so they would feel "special." (Ex. A at 002.) And even though Minor  
10      Victim 8 was less than two years old, she would not stop crying the  
11      night after defendant babysat her. (Ex. D at 014.) Even though she  
12      could not say what had happened, she was trying to communicate her  
13      abuse.

14           Defendant's abuse of these young children and babies while they  
15       were in his care was also a cruelty he inflicted on their parents.  
16       As Minor Victim 3 and 12's father wrote, defendant "deceived us  
17       parents" that trusted and believed that defendant was "good people"  
18       trying to be there for his and other people's children. (Ex. B at  
19       008.) Indeed, defendant held himself out as the "fun [REDACTED]" (Ex. A  
20       at 002.) And by abusing the children, defendant managed to destroy  
21       families. [REDACTED]

22 [REDACTED]  
23 [REDACTED]  
24 [REDACTED]  
25 [REDACTED]  
26 [REDACTED]  
27 [REDACTED]  
28 [REDACTED]

The abuse of all the children in a family, stealing each child's innocence, demonstrates defendant's voraciousness and depravity. Defendant's cruelty cannot be overstated.

Beyond abusing the children that he babysat and that attended the [REDACTED] daycare - turning these places into houses of horror - defendant brazenly abused children on a kindergarten outing. He created child sexual abuse material of three children, Minor Victims 21, 22, and 23) that he had never met before and to whom he only had a brief window of access. This was days before his arrest.

It is hard to imagine what would have happened if law enforcement had not arrested defendant when they did. But for his arrest, how many more children would defendant have tortured?

2. Defendant's Abuse Involved Sexual Penetration Of  
Babies And Degrading Exploitation

The cruelty to which the defendant subjected his victims in order to create eternal recordings of defendant's sexual depravity demonstrates that he is one of the worst of the worst offenders in the world of sexual exploitation of minors. Defendant repeatedly manipulated caregivers of the victims to commit his offenses, and violated the trust of both the victims and their families to a degree that is difficult to contemplate. Defendant accurately described himself when he picked the moniker [REDACTED]

Defendant exploited his twenty victims in nearly every way conceivable, including:

- Defendant “shared” a three-year old child with co-defendant Brinson, who digitally penetrated the child’s anus while defendant orally copulated him. (PSR ¶ 31.)

- 1       • Defendant abused victims together with co-defendant Brinson  
2        on multiple occasions. (Id. ¶¶ 28-29, 33-34.)
- 3       • Defendant created lascivious exhibitions of children's  
4        genitals - often while having them pose with placards to  
5        advertise his "work" on Website A. (e.g., PSR ¶¶ 93-94,  
6        65, 67, 69-70, 77-79, 90, 98, 99.)
- 7       • Defendant fondled and masturbated little boys' penises.  
8        (e.g., Id. ¶¶ 31, 34, 47, 51, 53, 87, 101.)
- 9       • Defendant orally copulated babies and children. (e.g., Id.  
10        ¶ 31, 33, 41, 56, 59, 81, 84 )
- 11       • Defendant made at least one victim orally copulate  
12        defendant. (Ex. A at 002.)
- 13       • Defendant penetrated infants' and toddlers' anuses and  
14        vaginas with his fingers and penis. (e.g., Id. ¶¶ 33, 39,  
15        45-46, 60, 64, 74.)
- 16       • Defendant ejaculated on a baby's vagina. (Id. ¶ 39.)

17       Minor Victims 3 and 12's father is right to describe defendant as  
18       a monster.

19       3. Defendant Shared Documentation Of The Abuse And  
20       C counseled Others About The Need To Avoid  
21       Identification By Law Enforcement

22       Defendant posted at least 155 times on Website A from the date  
23       he joined on February 12, 2016 until his arrest on May 28, 2017 - in  
24       short, he was an active member. (Id. ¶ 21.) In his first post, he  
25       indicated that he had been long searching for a website dedicated to  
26       the sexual exploitation of babies: "I just want to say Hi to the  
27       first fully functioning baby/tot community that I have ever come  
28       across since I have been on the web." Defendant promised to make

1 lots of child sexual abuse material available and demonstrated in  
 2 early 2016, he was already engaging in this conduct for some time: "I  
 3 have tons of content to contribute since I have been at theis [sic] a  
 4 while."<sup>23</sup>

5 In his post on November 3, 2016, defendant explained that he is  
 6 active on other websites but that he would continue to post on  
 7 Website A: "I do not always post here but will forever remain on the  
 8 site I still wish to attract more fellow producers and contributors  
 9 to our community . . ." In that same post, defendant counseled the  
 10 other members of the site to take precautions against apprehension:  
 11 "we cannot delete from the internet so we live with the fear one day  
 12 we make [a] mistake and get caught . . ." (Id.) Defendant's post  
 13 shows his understanding that the evidence of his victims' abuse will  
 14 remain online forever.

15 Defendant made child sexual abuse material of at least Minor  
 16 Victims 14, 5, 6, and 10 available on Website A. (PSR ¶¶ 22, 25-27,  
 17 37, 45, 65.) Moreover, he created many images and either included  
 18 his moniker in the file name and/or included placards that referenced  
 19 his moniker or Website A. (Id. ¶¶ 32-33, 39, 51, 59, 93, 63-64, 69-  
 20 70, 74, 77-78, 90, 100, 97.) The images and videos found on  
 21 defendant's devices demonstrate that he often created child sexual  
 22 abuse material with his victims specifically for other individuals,  
 23 and received child sexual abuse material from them that was created  
 24 specifically for defendant. Many of the names that were included in  
 25 signs or filenames were recognized usernames of active members and

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27 <sup>23</sup> Notably, defendant met co-defendants Brinson and Martinez  
 28 through Website A. So any claim by defendant that he was pressured  
 to create content is rebutted by defendant's own representations  
 here.

1 producers of child sexual abuse material from various boards devoted  
2 to the sexual exploitation of children on the anonymous network.

3 The defendant used his computer skills to distribute several of  
4 the resulting images and videos of his abusive actions to many other  
5 people on the dark web. In doing so, he encouraged others to produce  
6 new child sexual abuse material - coaxing them to abuse children  
7 further and share the effects. Defendant also counseled others on  
8 how to avoid law enforcement detection. The trafficking and  
9 collection of child sexual abuse images of both his own creation and  
10 by others are horrific re-victimizations of the children depicted  
11 with every view and download, and defendant's actions helped ensure  
12 the files depicting several victims' rape and abuse will forever be  
13 part of the Internet's collection of child sexual abuse material in  
14 circulation among the worst offenders.

15 From his words and acts, it is evident that defendant  
16 distributed the images and videos of the abuse of his victims to fuel  
17 his sexual fantasies and gain praise for his activity from other  
18 pedophiles and child sexual abuse material collectors on the dark  
19 web. By interacting with others on Website A, defendant was able to  
20 validate his disordered thinking that these highly personal betrayals  
21 were not harmful and to rationalize the idea that his criminal  
22 activity was not wrong and did not make him a bad person. Website A  
23 also allowed defendant to receive additional child sexual abuse  
24 material from other offenders in return for the material he made  
25 available. Once produced, the endless circulation of the abuse  
26 material by those trying to bolster their collections or to justify  
27 additional abuse perpetuates the victims and their loved ones' pain  
28 and suffering.

1                   **B. Defendant's Characteristics**

2                   Defendant is twenty-six years old (id. ¶ 344) and had just  
3 turned twenty-three years old at the time of his arrest. There is  
4 nothing in defendant's personal history that mitigates his conduct.  
5 He graduated high school, took some college level classes after  
6 graduation, and maintained a full-time job for several years. (Id.  
7 ¶¶ 361-64.) He self-acknowledges a sexual attraction to children  
8 since the age of 19 and a professional diagnosed him with Pedophilic  
9 Disorder. (Id. ¶¶ 358, 354.) The timing of his offenses suggests he  
10 engaged in the serial sexual exploitation of children from the moment  
11 of that self-realization until he was arrested. His conduct  
12 demonstrates depravity and the willingness to put his own sexual  
13 needs over the interest and well-being of young children. Further,  
14 his activity on the dark web demonstrates a level of sophistication  
15 and competence, both with committing his crimes and evading law  
16 enforcement through anonymization mechanisms. There is nothing in  
17 defendant's history that should cause the Court to afford defendant  
18 any leniency. There is no reason to believe the defendant would ever  
19 abandon fulfilling his sexual urges at the expense of children.

20                   **C. A Life Sentence Is The Only Way To Protect The Community  
21                   From Defendant**

22                   The recommended Guideline sentence is life imprisonment. The  
23 USPPO recommends life imprisonment. (See DE 318, USPPSO  
24 Recommendation Letter, at 1.) The government makes the same  
25 recommendation. Indeed, there is no way to protect the community  
26 from this defendant other than incarceration given the number of  
27 victims that he had, what he did to them, and his brazenness in  
28 exploiting them. Defendant is a diagnosed pedophile. [REDACTED]

1 [REDACTED]  
2 [REDACTED]  
3 [REDACTED] It is clear from the nature and circumstances of  
4 defendant's offenses that he was obsessively focused on fueling his  
5 sexual desires by sexually exploiting many, many children in inhumane  
6 ways and seeking out a vast collection of child sexual abuse  
7 material. As long as this defendant can draw air into his lungs, he  
8 will be a danger to children. The sentence imposed must provide a  
9 just punishment, and must also promote respect for the law, and  
10 adequately deter other like-minded individuals from acting on such an  
11 all-consuming obsession.

12 **VI. CONCLUSION**

13 The government requests that the Court impose a life sentence,  
14 and a special assessment of \$2,300, and lifetime supervised release.  
15 The government further requests that the Court set over the  
16 restitution portion of the sentencing for 90 days and make a  
17 determination at that time regarding the special assessment for  
18 Justice for Trafficking Victims.

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